

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Jay S. Walker et al.)	
For:	METHOD AND APPARATUS FOR VENDING PRODUCTS)	Examiner: Not Yet Assigned
Serial No.:	Not Yet Assigned)	Group Art Unit: Not Yet Assigned
Filing Date:	December 22, 1998)	Docket No.: WD2-98-038



Assistant Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Sir:

Applicants submit herewith patents, publications or other information of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a thorough search has been made, an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. Nor shall the filing of this information disclosure statement be construed as an admission against interest in any manner.

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed below and on the accompanying Form PTO-1449 may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider these items and to independently ascertain their teaching.

- A. U. S. Patent No. 4,008,792 entitled "VEND CONTROL CIRCUITS CAPABLE OF VENDING DIFFERENT QUANTITIES AT DIFFERENT PRICES", issued to Joseph L. Levasseur et al. on February 22, 1977.
- B. U.S. Patent No. 4,282,575 entitled "CONTROL SYSTEM FOR VENDING MACHINE", issued to William R. Hoskinson et al. on August 4, 1981.
- C. U. S. Patent No. 4,316,532 entitled "VERSATILE PRICING MEANS", issued to Joseph L. Levasseur on February 23, 1982.
- D. U. S. Patent No. 4,412,292 entitled "SYSTEM FOR THE REMOTE MONITORING OF VENDING MACHINES", issued to Jason K. Sedam et al. on October 25, 1983.
- E. U. S. Patent No. 4,498,570 entitled "MULTIPLE PURCHASE DISCOUNT MODULE FOR A SINGLE PRICE VENDING MACHINE", issued to Eddie W. King et al. on February 12, 1985.
- F. U. S. Patent No. 4,654,800 entitled "CONTROL AND MONITORING APPARATUS FOR VENDING MACHINES", issued to Yukichi Hayashi et al. on March 31, 1987.
- G. U. S. Patent No. 4,679,150 entitled "AUTOMATIC VENDING MACHINE WITH DISCOUNT FUNCTION", issued to Yukichi Hayashi et al. on July 7, 1987.
- H. U. S. Patent No. 4,723,212 entitled "METHOD AND APPARATUS FOR DISPENSING DISCOUNT COUPONS", issued to Thomas Mindrum et al. on February 2, 1988.

- I. U. S. Patent No. 4,854,590 entitled "CASH REGISTER GAMING DEVICE", issued to Daniel Jolliff et al. on August 8, 1989.
- J. U. S. Patent No. 4,906,828 entitled "ELECTRONIC MONEY PURSE AND FUND TRANSFER SYSTEM" issued to John W. Halpers on March 6, 1990.
- K. U. S. Patent No. 4,910,672 entitled "METHOD AND APPARATUS FOR DISPENSING DISCOUNT COUPONS", issued to George W. Off et al. on March 20, 1990.
- L. Abstract of Japanese Patent No. JP 4235700 A entitled "VENDING MACHINE CONTROLLER", issued to Takahashi Yuzo et al. on August 24, 1992.
- M. Abstract of Japanese Patent No. JP 8030848 A entitled "CONTROLLER FOR AUTOMATIC VENDING MACHINE", issued to Yamanaka Masashi on February 2, 1996.
- N. Abstract of Japanese Patent No. JP 8221645 A entitled "MONEY RECEPTION AND PAYMENT MANAGING DEVICE OF AUTOMATIC VENDING MACHINE", issued to Watanabe Kiyoshi on August 30, 1996.
- O. Abstract of Japanese Patent No. JP 8329323 A entitled "AUTOMATIC VENDING MACHINE", issued to Ebara Atsushi on December 13, 1996.
- P. European Patent Application No. 0 817 138 A1 entitled "SALES MANAGEMENT METHOD IN AUTOMATIC VENDING MACHINE", issued to T. Takahashi on January 7, 1998.
- Q. "Cape Town", Reuters Ltd Reuters, November 8, 1979.

- R. "POS Spectrum: a Lottery Looks to POS for Growth", POS News, January 1989, Vol. 5, No. 7; p. 8; ISSN: 0896-6230.
- S. U. S. Patent No. 4,993,714 entitled "POINT OF SALE LOTTERY SYSTEM", issued to Cecelia K. Golightly on February 19, 1991.
- T. U. S. Patent No. 5,056,019 entitled "AUTOMATED PURCHASE REWARD ACCOUNTING SYSTEM AND METHOD", issued to John Schultz et al. on October 8, 1991.
- U. U.S. Patent No. 5,128,862 entitled "CUSTOMER OPERABLE SYSTEM FOR A RETAIL STORE OR FAST-FOOD RESTAURANT HAVING PLURAL ORDERING STATIONS", issued to Raymond J. Mueller on July 7, 1992.
- V. U.S. Patent No. 5,173,851 entitled "METHOD AND APPARATUS FOR DISPENSING DISCOUNT COUPONS IN RESPONSE TO THE PURCHASE OF ONE OR MORE PRODUCTS", issued to George W. Off et al. on December 22, 1992.
- W. U. S. Patent No. 5,223,698 entitled "CARD-ACTIVATED POINT-OF-SALE LOTTERY TERMINAL", issued to Shashi B. Kapur on June 29, 1993.
- X. U.S. Patent No. 5,287,268 entitled "CENTRALIZED CONSUMER CASH VALUE ACCUMULATION SYSTEM FOR MULTIPLE MERCHANTS", issued to Patrick D. McCarthy on February 15, 1994.
- Y. U. S. Patent No. 5,302,811 entitled "A POINT OF SALE APPARATUS INCLUDING A DEPOSITING/WITHDRAWING APPARATUS", issued to Kunio Fukatsu on April 12, 1994.

- Z. U. S. Patent No. 5,309,355 entitled "AUTOMATED SALES SYSTEM", issued to Lawrence B. Lockwood on May 3, 1994.
- AA. U. S. Patent No. 5,353,219 entitled "SUGGESTIVE SELLING IN A CUSTOMER SELF-ORDERING SYSTEM", issued to Raymond J. Mueller et al. on October 4, 1994.
- BB. U. S. Patent No. 5,420,606 entitled "INSTANT ELECTRONIC COUPON VERIFICATION SYSTEM", issued to Paul G. Begum et al. on May 30, 1995.
- CC. U. S. Patent No. 5,592,376 entitled "CURRENCY AND BARTER EXCHANGE DEBIT CARD AND SYSTEM", issued to Joel Hodruff on January 7, 1997.
- DD. Anne Henry, "High-tech Vending: Vending Machine OEMs Begin to Resemble Their Consumer Electronics Counter Parts When it Comes to Rapid-fire Implementation of Technology, Original Equipment Manufacturers", *Applicance*, December 1991, Vol. 48; No. 12; p. 39; ISSN: 0003-6781.
- EE. "VendingMi\$er", Optimum Energy Products Ltd.: Energy Measurement & Control, (<http://www.optimumenergy.com/products/miser.htm>), download date: August 12, 1998.
- FF. U. S. Patent No. 5,612,868 entitled "METHOD AND APPARATUS FOR DISPENSING DISCOUNT COUPONS", issued to George W. Off et al. on March 18, 1997.
- GG. U. S. Patent No. 5,620,079 entitled "COIN COUNTER/SORTER AND COUPON/VOUCHER DISPENSING MACHINE AND METHOD", issued to Jens H. Molbak on April 15, 1997.

- HH. U. S. Patent No. 5,621,640 entitled "AUTOMATIC PHILANTHROPIC CONTRIBUTION SYSTEM", issued to Bertram V. Burke on April 15, 1997.
- II. U. S. Patent No. 5,685,435 entitled "METHOD AND APPARATUS FOR AUTOMATIC BULK VENDING", issued to John J. Picioccio et al. on November 11, 1997.
- JJ. U. S. Patent No. 5,768,142 entitled "METHOD AND APPARATUS FOR STRONG AND SELECTIVELY RETRIEVING PRODUCT DATA BASED ON EMBEDDED EXPERT SUITABILITY RATINGS", issued to Herbert H. Jacobs on June 16, 1998.

1. ☐ Any copy of the items listed above and on the enclosed copy of Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in the prior ☐ Continuation, ☐ Divisional or ☐ Continuation in part application filed under 37 C.F.R. §§ 1.53 or 1.60, U.S. Serial No. _____, filed _____.
2. ☐ For each of the following items listed above and on the enclosed copy of Form PTO-1449 that is not in the English language, a European Search Report from a counterpart European application is enclosed. Such items are marked as reference letter(s): _____.
3. ☐ For each of the following items listed above and on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application. Such items are marked as reference letter(s): _____.
4. ☐ In addition to the citations listed above, applicants respectfully direct the Examiner's attention to the following U.S. patent applications, which are commonly assigned to the assignee of the instant application, and which may be deemed pertinent to the instant application:

<u>Serial No.</u>	<u>Inventors</u>	<u>Filing Date</u>	<u>Group Art Unit</u>	<u>Examiner's Init.</u>
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The Examiner is respectfully requested to fully consider and independently ascertain the teachings and relevance of those applications with respect to the instant application. These applications have not been listed on the accompanying Form PTO-1449 in order to preserve their secrecy during the course of their prosecution.

5. ☒ No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:
- ☒ 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.
- ☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491.
- ☐ 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office Action on the merits.

6. ☐ No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. 1.97(c), after the period specified in paragraph 5 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 10 below.
7. ☐ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c) after the period specified in paragraph 5 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action). The fee due under 37 C.F.R. §1.17(p) is to be paid as set forth in paragraph 11 below.
8. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in accordance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a Notice of Allowance, but before the payment of the issue fee, and is accompanied by:
- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 10 below; and
 - b. the attached petition requesting consideration of this Information Disclosure Statement; and
 - c. the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 11 below.
9. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:
- ☐ 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition to Withdraw Application from Issue;
 - ☐ 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition to Withdraw Application from Issue.
 - ☐ The fee due under 37 C.F.R. §1.17(i)(1) is paid as set forth in paragraph 11 below.
10. ☐ I hereby certify:

☐ that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. A copy of such communication is enclosed.

☐ that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

11. ☐ Please accept payment of the fees due as indicated below:

☐ A check in the amount of \$240.00 is enclosed in payment of the fee due under 37 C.F.R. 1.17(p).

☐ The Commissioner is hereby authorized to charge \$240.00 to Deposit Account No. 50-0271 in payment of the fee due under 37 C.F.R. §1.17(p). A duplicate copy of this sheet is attached for such purpose

☐ A check in the amount of \$130.00 is enclosed in payment of the fee due under 37 C.F.R. §1.17(i)(1).

☐ The Commissioner is authorized to charge \$130.00 to Deposit Account No. 50-0271 in payment of the fee due under 37 C.F.R. §1.17(i)(1). A duplicate copy of this sheet is attached.

12. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 50-0271. A copy of this authorization is attached.

December 22, 1998

Date

Respectfully submitted,



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